

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALISON E. MINNIS and PAUL K.
SMITH,

Plaintiffs,

v.

STATE OF WASHINGTON,
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, et al.,

Defendants.

CASE NO. C11-5600 BHS

ORDER DENYING PLAINTIFF'S
MOTION, DISMISSING
PLAINTIFF'S CLAIMS WITH
PREJUDICE AND STRIKING
PLAINTIFF'S MOTION

This matter comes before the Court on the Court's imposition of sanctions (Dkt. 91) and Plaintiff Paul Smith's ("Smith") motion for a hearing (Dkt. 98) and motion for a protective order (Dkt. 110).

On June 6, 2013, the Court awarded Defendants \$7500 as sanctions for Smith's intentional discovery violations and ordered Smith to pay the sanctions within one month or his claims would be dismissed with prejudice. Dkt. 91. On July 4, 2013, Smith filed a motion for a hearing arguing that he has not had an adequate opportunity to be heard

1 regarding discovery. Dkt. 98. The Court **DENIES** this motion because the docket
2 reflects that Smith has had more than an adequate opportunity to be heard.

3 On July 9, 2013, Defendants' attorney filed a declaration declaring that Smith has
4 failed to pay the sanctions. Dkt. 99. Therefore, the Court hereby **DISMISSES with**
5 **prejudice** Smith's claims against Defendants. Smith's other motion (Dkt. 110) is
6 **STRICKEN**, and the Clerk shall remove it from the Court's calendar.

7 **IT IS SO ORDERED.**

8 Dated this 26th day of July, 2013.

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11 **BENJAMIN H. SETTLE**
12 United States District Judge
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